

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

JOE MORGAN, ADC #94725

PETITIONER

v.

NO. 5:14cv00353-JLH-JTR

RAY HOBBS, Director,  
Arkansas Department of Correction

RESPONDENT

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. Judgment will be entered accordingly.

IT IS THEREFORE ORDERED THAT:

1. Petitioner's motion for leave to proceed *in forma pauperis* is GRANTED (Document #1);
2. The petition for a writ of habeas corpus under 28 U.S.C. § 2254 is DISMISSED WITHOUT PREJUDICE (Document #2) so that petitioner may seek authorization from the Eighth Circuit Court of Appeals, pursuant to 28 U.S.C. § 2244(b)(3)(A), to file a successive habeas petition; and
3. A certificate of appealability is denied pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts.

DATED this 28th day of October, 2014.

  
UNITED STATES DISTRICT JUDGE